

Docket No.
P02930

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on MARCH 23, 2001 as United States Application No. or PCT International Application Number 09/816,284
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

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Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

(Application Serial No.)

(Filing Date)

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 CRAIG E. LARSON, REG. NO. 27,197
 DENIS A. POLYN, REG. NO. 27,152

RICHARD RODRIGUEZ, REG. NO. 45,980
 SUSAN RUCKER, REG. NO. 35,762
 DAVID SADOWSKI, REG. NO. 32,808
 MARLENE, SHINN, REG. NO. 46,005

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 STEVEN FINLEY, REG. NO. 36,357
 JAMES HAIGHT, REG. NO. 25,588
 JOHN PETER KIM, REG. NO. 38,514
 NORBERT PONTZER, REG. NO. 40,777

Send Correspondence to: RITA D. VACCA
 BAUSCH & LOMB, INC.
 ONE BAUSCH & LOMB PLACE
 ROCHESTER, NEW YORK 14604-2701

Direct Telephone Calls to: (name and telephone number)
 RITA D. VACCA (636) 226-3340

Full name of sole or first inventor STEPHEN PAUL BARTELS	
Sole or first inventor's signature <i>Stephen P. Bartels</i>	Date 9-14-01
Residence WYCKOFF, NEW JERSEY PITTSFORD, New York	
Citizenship UNITED STATES	
Post Office Address 383 SUNSET BOULEVARD 16 Silco Hill	
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Full name of second inventor, if any CARA LARRAINE BAUSTIAN	
Second inventor's signature	Date
Residence PALISADES, NEW YORK	
Citizenship UNITED STATES	
Post Office Address 4 WOODS ROAD	
PALISADES, NEW YORK 10964	

Full name of third inventor, if any GEORGE EDWIN BUNCE	
Third inventor's signature	Date
Residence BLACKSBURG, VIRGINIA	
Citizenship UNITED STATES	
Post Office Address 1416 HIGHLAND CIRCLE	
BLACKSBURG, VIRGINIA 24060	

Full name of fourth inventor, if any LEON ELLENBOGEN	
Fourth inventor's signature	Date
Residence NEW CITY, NEW YORK	
Citizenship UNITED STATES	
Post Office Address 16 MORRIS DRIVE	
NEW CITY, NEW YORK 10956	

Full name of fifth inventor, if any FREDERICK L. FERRIS III	
Fifth inventor's signature	Date
Residence COLUMBIA, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 5129 NORTHERN FENCES LANE	
COLUMBIA, MARYLAND 21044	

Full name of sixth inventor, if any JIN KINOSHITA	
Sixth inventor's signature	Date
Residence EL MACERO, CALIFORNIA	
Citizenship UNITED STATES	
Post Office Address 44269 CLUB HOUSE DRIVE	
EL MACERO, CALIFORNIA 95618	

Full name of seventh inventor, if any JAMES CECIL SMITH, JR.	
Seventh inventor's signature	Date
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GLENN DALE, MARYLAND 20769	

Full name of eighth inventor, if any DAVID A. SOUERWINE	
Eighth inventor's signature	Date
Residence PITTSFORD, NEW YORK	
Citizenship UNITED STATES	
Post Office Address TEN POINTES AT STONETOWN, 6 MILL NECK LANE	
PITTSFORD, NEW YORK 14534	

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Ninth inventor's signature	Date
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WYCKOFF, NEW JERSEY 07481	

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Second inventor's signature <i>Cara Lorraine Baustian</i>	Date 10-9-01
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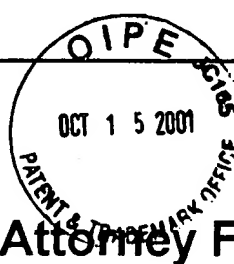
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Third inventor's signature <i>George Edwin Bunce</i>	
Residence BLACKSBURG, VIRGINIA	
Citizenship UNITED STATES	
Post Office Address 1416 HIGHLAND CIRCLE	
BLACKSBURG, VIRGINIA 24060	

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Sixth inventor's signature	
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EL MACERO, CALIFORNIA 95618	

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Seventh inventor's signature	Date
Residence GLENN DALE, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 6916 PINE VALLEY DRIVE	
GLENN DALE, MARYLAND 20769	

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Eighth inventor's signature	Date
Residence PITTSFORD, NEW YORK	
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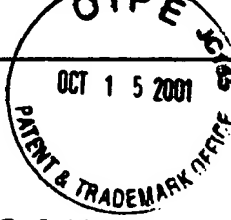
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(check one)

☐ is attached hereto.

☒ was filed on MARCH 23, 2001 as United States Application No. or PCT International Application Number 09/816,284
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

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Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

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(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

RITA D. VACCA, REG. NO. 33,624
 CRAIG E. LARSON, REG. NO. 27,197
 DENIS A. POLYN, REG. NO. 27,152

RICHARD RODRIGUEZ, REG. NO. 45,980
 SUSAN RUCKER, REG. NO. 35,762
 DAVID SADOWSKI, REG. NO. 32,808
 MARLENE, SHINN, REG. NO. 46,005

JACK SPIEGEL, REG. NO. 34,477
 ROBERT BENSON, REG. NO. 33,612
 STEVEN FERGUSON, REG. NO. 38,448
 STEVEN FINLEY, REG. NO. 36,357
 JAMES HAIGHT, REG. NO. 25,588
 JOHN PETER KIM, REG. NO. 38,514
 NORBERT PONTZER, REG. NO. 40,777

Send Correspondence to: RITA D. VACCA
 BAUSCH & LOMB, INC.
 ONE BAUSCH & LOMB PLACE
 ROCHESTER, NEW YORK 14604-2701

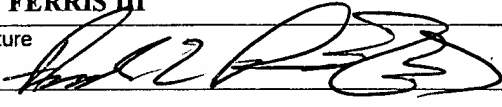
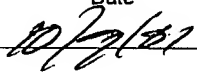
Direct Telephone Calls to: *(name and telephone number)*
 RITA D. VACCA (636) 226-3340

Full name of sole or first inventor STEPHEN PAUL BARTELS	
Sole or first inventor's signature	Date
Residence WYCKOFF, NEW JERSEY	
Citizenship UNITED STATES	
Post Office Address 383 SUNSET BOULEVARD	
WYCKOFF, NEW JERSEY 07481	

Full name of second inventor, if any CARA LARRAINE BAUSTIAN	
Second inventor's signature	Date
Residence PALISADES, NEW YORK	
Citizenship UNITED STATES	
Post Office Address 4 WOODS ROAD	
PALISADES, NEW YORK 10964	

Full name of third inventor, if any GEORGE EDWIN BUNCE	
Third inventor's signature	Date
Residence BLACKSBURG, VIRGINIA	
Citizenship UNITED STATES	
Post Office Address 1416 HIGHLAND CIRCLE	
BLACKSBURG, VIRGINIA 24060	

Full name of fourth inventor, if any LEON ELLENBOGEN	
Fourth inventor's signature	Date
Residence NEW CITY, NEW YORK	
Citizenship UNITED STATES	
Post Office Address 16 MORRIS DRIVE	
NEW CITY, NEW YORK 10956	

Full name of fifth inventor, if any FREDERICK L. FERRIS III	
Fifth inventor's signature 	Date 
Residence COLUMBIA, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 5129 NORTHERN FENCES LANE	
COLUMBIA, MARYLAND 21044	

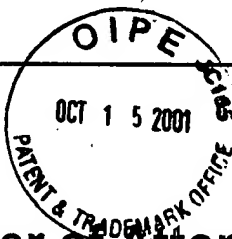
Full name of sixth inventor, if any JIN KINOSHITA	
Sixth inventor's signature	Date
Residence EL MACERO, CALIFORNIA	
Citizenship UNITED STATES	
Post Office Address 44269 CLUB HOUSE DRIVE	
EL MACERO, CALIFORNIA 95618	

Full name of seventh inventor, if any JAMES CECIL SMITH, JR.	
Seventh inventor's signature	Date
Residence GLENN DALE, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 6916 PINE VALLEY DRIVE	
GLENN DALE, MARYLAND 20769	

Full name of eighth inventor, if any DAVID A. SOUERWINE	
Eighth inventor's signature	Date
Residence PITTSFORD, NEW YORK	
Citizenship UNITED STATES	
Post Office Address TEN POINTES AT STONETOWN, 6 MILL NECK LANE	
PITTSFORD, NEW YORK 14534	

Full name of ninth inventor, if any	
Ninth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of tenth inventor, if any	
Tenth inventor's signature	Date
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Docket No.
P02930

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
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Sole or first inventor's signature	Date
Residence WYCKOFF, NEW JERSEY	
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Second inventor's signature	Date
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Post Office Address 4 WOODS ROAD	
PALISADES, NEW YORK 10964	

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Residence BLACKSBURG, VIRGINIA	
Citizenship UNITED STATES	
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BLACKSBURG, VIRGINIA 24060	

Full name of fourth inventor, if any LEON ELLENBOGEN	
Fourth inventor's signature	Date
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Citizenship UNITED STATES	
Post Office Address 16 MORRIS DRIVE	
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Fifth inventor's signature	Date
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Post Office Address 5129 NORTHERN FENCES LANE	
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Sixth inventor's signature	Date
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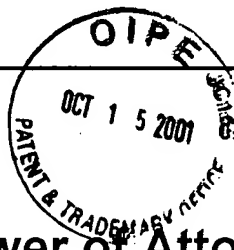
Full name of seventh inventor, if any JAMES CECIL SMITH, JR.	
Seventh inventor's signature <i>James Cecil Smith, Jr.</i>	Date
Residence GLENN DALE, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 6916 PINE VALLEY DRIVE	
GLENN DALE, MARYLAND 20769	

Gale A. Hixon
 GALE A. HIXON
 NOTARY PUBLIC STATE OF MARYLAND
 My Commission Expires April 16, 2002

Full name of eighth inventor, if any DAVID A. SOUERWINE	
Eighth inventor's signature	Date
Residence PITTSFORD, NEW YORK	
Citizenship UNITED STATES	
Post Office Address TEN POINTES AT STONETOWN, 6 MILL NECK LANE	
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Docket No.
P02930

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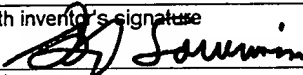
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BLACKSBURG, VIRGINIA 24060	

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Fourth inventor's signature	Date
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Citizenship UNITED STATES	
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NEW CITY, NEW YORK 10956	

Full name of fifth inventor, if any FREDERICK L. FERRIS III	
Fifth inventor's signature	Date
Residence COLUMBIA, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 5129 NORTHERN FENCES LANE	
COLUMBIA, MARYLAND 21044	


Full name of sixth inventor, if any JIN KINOSHITA	
Sixth inventor's signature	Date
Residence EL MACERO, CALIFORNIA	
Citizenship UNITED STATES	
Post Office Address 44269 CLUB HOUSE DRIVE	
EL MACERO, CALIFORNIA 95618	

Full name of seventh inventor, if any JAMES CECIL SMITH, JR.	
Seventh inventor's signature	Date
Residence GLENN DALE, MARYLAND	
Citizenship UNITED STATES	
Post Office Address 6916 PINE VALLEY DRIVE	
GLENN DALE, MARYLAND 20769	

Full name of eighth inventor, if any DAVID A. SOUERWINE	
Eighth inventor's signature 	Date 9/28/0
Residence PITTSFORD, NEW YORK	
Citizenship UNITED STATES	
Post Office Address TEN POINTES AT STONETOWN, 6 MILL NECK LANE	
PITTSFORD, NEW YORK 14534	

Full name of ninth inventor, if any	
Ninth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of tenth inventor, if any	
Tenth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No.
Applicant(s): Stephen Paul Bartels, et al.			P02930
Serial No. 09/816,284	Filing Date March 23, 2001	Examiner To be Assigned	Group Art Unit To be Assigned
Invention: NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION			
<p>I hereby certify that this <u>Declaration and Power of Attorney (7) - signed</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on <u>October 11, 2001</u> (Date)</p> <p><u>Rita D. Vacca</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u></u> (Signature of Person Mailing Correspondence)</p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

#3

Serial No.: 09/816,284

Filed: March 23, 2001

Docket No.: P02930

ASSIGNMENT**WHEREAS, WE:**

- (1) Frederick L. Ferris, III
- (2) Jin Kinoshita
- (3) Leon Ellenbogen
- (4) George E. Bunce
- (5) James Cecil Smith, Jr.

employees/consultants of the National Institute of Health residing at:

	<u>STREET ADDRESS:</u>	<u>CITY AND STATE:</u>
(1) Frederick L. Ferris III	5129 Northern Fences Lane	Columbia, Maryland
(2) Jin Kinoshita	44269 Club House Drive	El Macero, California
(3) Leon Ellenbogen	16 Morris Drive	New City, New York
(4) George E. Bunce	1416 Highland Circle	Blacksburg, Virginia
(5) James Cecil Smith, Jr.	6916 Pine Valley Drive	Glenn Dale, Maryland

have jointly invented with employees of Bausch & Lomb Inc.:

- (6) Stephen Paul Bartels
- (7) Cara Lorraine Baustian
- (8) David A. Souerwine

certain new and useful improvements in:

NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

filed on March 23, 2001 and assigned serial number 09/816,284; and

WHEREAS, the conditions under which said invention was made are such as to entitle The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services (hereinafter referred to herein as "THE GOVERNMENT") under Paragraph 1(a) of Executive Order 10096 to our entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, THE GOVERNMENT is desirous of acquiring all our domestic and foreign right, title and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to THE GOVERNMENT, as represented by the Secretary, Department of Health and Services, our full and exclusive rights in and to said invention in the United States of America and within each and every foreign country in which THE GOVERNMENT elects to file and our entire right, title and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues, reexaminations or extensions thereof, and including priority rights as may be filed in the United States and foreign countries, and such letters patent as may be granted to be held by THE GOVERNMENT to the end of the term for which the same would have been held by the inventors hereto had this assignment not been made.

We further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letter Patent, and to assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

IN WITNESS WHEREOF, we subscribe our hands and seals;

(1) this _____ day of _____, 2001

(1) _____
Frederick L. Ferris, III

WITNESS AS TO (1):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Frederick L. Ferris, III** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;
(2) this _____ day of _____, 2001

(2) _____
Jin Kinoshita

WITNESS AS TO (2):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Jin Kinoshita** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(3) this _____ day of _____, 2001

(3) _____
Leon Ellenbogen

WITNESS AS TO (3):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Leon Ellenbogen** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(4) this 5th day of September, 2001

(4) George E. Bunce
George E. Bunce

WITNESS AS TO (4):

Frank A. Graham Jr.
Ally A. Hallinger

DATE: 5 Sep 2001STATE OF Virginia
COUNTY OF Montgomery

Before me, a Notary Public in and for the County and State aforesaid, appeared **George E. Bunce** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

James R. Montgomery
Notary Public

My commission expires: April 30, 2003

IN WITNESS WHEREOF, we subscribe our hands and seals;

(5) this _____ day of _____, 2001

(5) _____
James Cecil Smith, Jr.

WITNESS AS TO (5):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **James Cecil Smith, Jr.** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

Serial No.: 09/816,284

Filed: March 23, 2001

Docket No.: P02930

ASSIGNMENT

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- (2) Jin Kinoshita
- (3) Leon Ellenbogen
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(3) Leon Ellenbogen	16 Morris Drive	New City, New York
(4) George E. Bunce	1416 Highland Circle	Blacksburg, Virginia
(5) James Cecil Smith, Jr.	6916 Pine Valley Drive	Glenn Dale, Maryland

have jointly invented with employees of Bausch & Lomb Inc.:

- (6) Stephen Paul Bartels
- (7) Cara Lorraine Baustian
- (8) David A. Souerwine

certain new and useful improvements in:

NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

filed on March 23, 2001 and assigned serial number 09/816,284; and

WHEREAS, the conditions under which said invention was made are such as to entitle The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services (hereinafter referred to herein as "THE GOVERNMENT") under Paragraph 1(a) of Executive Order 10096 to our entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, THE GOVERNMENT is desirous of acquiring all our domestic and foreign right, title and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to THE GOVERNMENT, as represented by the Secretary, Department of Health and Services, our full and exclusive rights in and to said invention in the United States of America and within each and every foreign country in which THE GOVERNMENT elects to file and our entire right, title and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues, reexaminations or extensions thereof, and including priority rights as may be filed in the United States and foreign countries, and such letters patent as may be granted to be held by THE GOVERNMENT to the end of the term for which the same would have been held by the inventors hereto had this assignment not been made.

We further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letter Patent, and to assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

IN WITNESS WHEREOF, we subscribe our hands and seals;

(1) this _____ day of _____, 2001

(1) _____

Frederick L. Ferris, III

WITNESS AS TO (1):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Frederick L. Ferris, III** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;
(2) this _____ day of _____, 2001

(2) _____

Jin Kinoshita

WITNESS AS TO (2):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Jin Kinoshita** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(3) this _____ day of _____, 2001

(3) _____
Leon Ellenbogen

WITNESS AS TO (3):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared Leon Ellenbogen to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(4) this _____ day of _____, 2001

(4) _____
George E. Bunce

WITNESS AS TO (4):

DATE: 18 Sept 2001

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **George E. Bunce** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Gale A. Hixon
Notary Public
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 16, 2002



IN WITNESS WHEREOF, we subscribe our hands and seals;

(5) this 18th day of September, 2001

(5) James Cecil Smith, Jr.
James Cecil Smith, Jr.

WITNESS AS TO (5):

Dummar Row

DATE: 9/18/01

STATE OF Maryland
COUNTY OF Montgomery

Before me, a Notary Public in and for the County and State aforesaid, appeared **James Cecil Smith, Jr.** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Gale A. Hixon
Notary Public
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 16, 2002



Serial No.: 09/816,284

Filed: March 23, 2001

Docket No.: P02930

ASSIGNMENT

WHEREAS, WE:

- (1) Frederick L. Ferris, III
- (2) Jin Kinoshita
- (3) Leon Ellenbogen
- (4) George E. Bunce
- (5) James Cecil Smith, Jr.

employees/consultants of the National Institute of Health residing at:

	<u>STREET ADDRESS:</u>	<u>CITY AND STATE:</u>
(1) Frederick L. Ferris III	5129 Northern Fences Lane	Columbia, Maryland
(2) Jin Kinoshita	44269 Club House Drive	El Macero, California
(3) Leon Ellenbogen	16 Morris Drive	New City, New York
(4) George E. Bunce	1416 Highland Circle	Blacksburg, Virginia
(5) James Cecil Smith, Jr.	6916 Pine Valley Drive	Glenn Dale, Maryland

have jointly invented with employees of Bausch & Lomb Inc.:

- (6) Stephen Paul Bartels
- (7) Cara Lorraine Baustian
- (8) David A. Souerwine

certain new and useful improvements in:

NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

filed on March 23, 2001 and assigned serial number 09/816,284; and

WHEREAS, the conditions under which said invention was made are such as to entitle The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services (hereinafter referred to herein as "THE GOVERNMENT") under Paragraph 1(a) of Executive Order 10096 to our entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, THE GOVERNMENT is desirous of acquiring all our domestic and foreign right, title and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to THE GOVERNMENT, as represented by the Secretary, Department of Health and Services, our full and exclusive rights in and to said invention in the United States of America and within each and every foreign country in which THE GOVERNMENT elects to file and our entire right, title and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues, reexaminations or extensions thereof, and including priority rights as may be filed in the United States and foreign countries, and such letters patent as may be granted to be held by THE GOVERNMENT to the end of the term for which the same would have been held by the inventors hereto had this assignment not been made.

We further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letter Patent, and to assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

IN WITNESS WHEREOF, we subscribe our hands and seals;

(1) this 9th day of October, 2001

(1) 
Frederick L. Ferris, III

WITNESS AS TO (1):

DATE: October 9, 2001STATE OF Maryland
COUNTY OF Montgomery

Before me, a Notary Public in and for the County and State aforesaid, appeared Frederick L. Ferris, III to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Rita A. Capobianchi
Notary Public

RITA A. CAPOBIANCHI
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires February 1, 2002

IN WITNESS WHEREOF, we subscribe our hands and seals;
(2) this _____ day of _____, 2001

(2) _____
Jin Kinoshita

WITNESS AS TO (2):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared Jin Kinoshita to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(3) this _____ day of _____, 2001

(3) _____
Leon Ellenbogen

WITNESS AS TO (3):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Leon Ellenbogen** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(4) this _____ day of _____, 2001

(4) _____
George E. Bunce

WITNESS AS TO (4):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **George E. Bunce** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we subscribe our hands and seals;

(5) this _____ day of _____, 2001

(5) _____
James Cecil Smith, Jr.

WITNESS AS TO (5):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **James Cecil Smith, Jr.** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

Serial No.: 09/816,284

Filed: March 23, 2001

Docket No.: P02930

ASSIGNMENT

WHEREAS, WE:

- (1) Stephen Paul Bartels
- (2) Cara Lorraine Baustian
- (3) David A. Souerwine
- (4) Leon Ellenbogen

residing at:

	<u>STREET ADDRESS:</u>	<u>CITY AND STATE:</u>
(1) Stephen Paul Bartels	16 Silco Hill,	Pittsford, New York
(2) Cara Lorraine Baustian	4 Woods Road,	Palisades, New York
(3) David A. Souerwine	Ten Pointes at Stonetown	
	6 Mill Neck Lane	Pittsford, New York
(4) Leon Ellenbogen	16 Morris Drive	New City, New York

have jointly invented with employees/consultants of the National Institutes of Health:

(5) George E. Bunce	1416 Highland Circle	Blacksburg, Virginia
(6) Frederick L. Ferris III	5129 Northern Fences Lane	Columbia, Maryland
(7) Jin Kinoshita	44269 Club House Drive	El Macero, California
(8) James Cecil Smith, Jr.	6916 Pine Valley Drive	Glenn Dale, Maryland

certain new and useful improvements in:

NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

filed on March 23, 2001 and assigned serial number 09/816,284; and

WHEREAS, BAUSCH & LOMB, INC., having a place of business at One Bausch & Lomb Place, in the City of Rochester, and State of New York 14604, hereinafter referred to as **"ASSIGNEE"**, is desirous of acquiring right, title and interest in and to said invention in the United States of America, its territories, dependencies and possessions, and in all foreign countries, and in and to any United States or foreign Letters Patent that may be granted therefor, and in and to such other forms of protection of industrial property as may be granted therefor pursuant to the laws of any country;

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) in hand paid to each of us, and other good and valuable considerations, the receipt of which is hereby acknowledged, we by these presents, have sold, assigned and transferred, and do hereby sell, assign and transfer, to **ASSIGNEE**, its successors, legal representatives and assigns, our entire right, title and interest in and to the said invention, in the United States of America, its territories, dependencies and possessions, and in all foreign countries, in and to any subsequently filed provisional or nonprovisional patent application of the United States, and in and to any Letters Patent of the United States and foreign countries (including all divisions, reissues, continuations and extension thereof) that may be granted therefor, and in and to such other forms of protection of industrial property as may be granted therefor pursuant to the laws of any country, and the right to apply for Letters Patent and such other forms of protection of industrial property as may be provided by any country, with full benefit of such priorities as may now or hereafter be granted to us by local laws or by treaty or by international convention, together with the right to extend the protection of said United States Letters Patent to territorial possessions now owned or which may hereafter be acquired by the United States of America, for the full term of which said Letters Patent or said other forms of protection may be granted;

And we covenant and agree with **ASSIGNEE** that as joint inventors, we each have unencumbered title to the invention hereby assigned, which title we warrant to **ASSIGNEE**;

And we further agree that we will, at **ASSIGNEE'S** request, without demanding further consideration therefor but entirely at **ASSIGNEE'S** expense, do all lawful and just acts, including the execution and acknowledgement of instruments, that may be or become necessary for obtaining, sustaining or reissuing United States and foreign letters Patent or said other forms of protection covering the invention hereby assigned, and for maintaining and perfecting **ASSIGNEE'S** right to said invention, Letters Patent and other forms of protection, particularly in cases of interference and litigation.

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(1) this _____ day of _____, 2001

(1)

Stephen Paul Bartels

WITNESS AS TO (1):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Stephen Paul Bartels** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and
 seals;
 (2) this 9th day of October, 2001

(2) Cara Lorraine Baustian
 Cara Lorraine Baustian

WITNESS AS TO (2):

DATE: 10/9/2001
 STATE OF New York
 COUNTY OF Rockland

Before me, a Notary Public in and for the County and State aforesaid, appeared
Cara Lorraine Baustian to me personally known to be the same person whose name is
 subscribed to the foregoing instrument, and acknowledged that she executed said
 instrument as her free and voluntary act and for the uses and purposes therein
 expressed.

[Signature]
 Notary Public

DAS B. MADALA
 Notary Public, State of New York
 No. 011146001962
 Qualified in Rockland County
 Commission Expires 02/02/2002

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and
 seals;
 (3) this _____ day of _____, 2001

(3) _____
 David A. Souerwine

WITNESS AS TO (3):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **David A. Souerwine** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(4) this _____ day of _____, 2001

(4) _____

Leon Ellenbogen

WITNESS AS TO (4):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Leon Ellenbogen** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

Serial No.: 09/816,284

Filed: March 23, 2001

Docket No.: P02930

ASSIGNMENT

WHEREAS, WE:

- (1) Stephen Paul Bartels
- (2) Cara Lorraine Baustian
- (3) David A. Souerwine
- (4) Leon Ellenbogen

residing at:

	<u>STREET ADDRESS:</u>	<u>CITY AND STATE:</u>
(1) Stephen Paul Bartels	16 Silco Hill,	Pittsford, New York
(2) Cara Lorraine Baustian	4 Woods Road,	Palisades, New York
(3) David A. Souerwine	Ten Pointes at Stonetown	
	6 Mill Neck Lane	Pittsford, New York
(4) Leon Ellenbogen	16 Morris Drive	New City, New York

have jointly invented with employees/consultants of the National Institutes of Health:

(5) George E. Bunce	1416 Highland Circle	Blacksburg, Virginia
(6) Frederick L. Ferris III	5129 Northern Fences Lane	Columbia, Maryland
(7) Jin Kinoshita	44269 Club House Drive	El Macero, California
(8) James Cecil Smith, Jr.	6916 Pine Valley Drive	Glenn Dale, Maryland

certain new and useful improvements in:

NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

filed on March 23, 2001 and assigned serial number 09/816,284; and

WHEREAS, BAUSCH & LOMB, INC., having a place of business at One Bausch & Lomb Place, in the City of Rochester, and State of New York 14604, hereinafter referred to as "**ASSIGNEE**", is desirous of acquiring right, title and interest in and to said invention in the United States of America, its territories, dependencies and possessions, and in all foreign countries, and in and to any United States or foreign Letters Patent that may be granted therefor, and in and to such other forms of protection of industrial property as may be granted therefor pursuant to the laws of any country;

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) in hand paid to each of us, and other good and valuable considerations, the receipt of which is hereby acknowledged, we by these presents, have sold, assigned and transferred, and do hereby sell, assign and transfer, to **ASSIGNEE**, its successors, legal representatives and assigns, our entire right, title and interest in and to the said invention, in the United States of America, its territories, dependencies and possessions, and in all foreign countries, in and to any subsequently filed provisional or nonprovisional patent application of the United States, and in and to any Letters Patent of the United States and foreign countries (including all divisions, reissues, continuations and extension thereof) that may be granted therefor, and in and to such other forms of protection of industrial property as may be granted therefor pursuant to the laws of any country, and the right to apply for Letters Patent and such other forms of protection of industrial property as may be provided by any country, with full benefit of such priorities as may now or hereafter be granted to us by local laws or by treaty or by international convention, together with the right to extend the protection of said United States Letters Patent to territorial possessions now owned or which may hereafter be acquired by the United States of America, for the full term of which said Letters Patent or said other forms of protection may be granted;

And we covenant and agree with **ASSIGNEE** that as joint inventors, we each have unencumbered title to the invention hereby assigned, which title we warrant to **ASSIGNEE**;

And we further agree that we will, at **ASSIGNEE'S** request, without demanding further consideration therefor but entirely at **ASSIGNEE'S** expense, do all lawful and just acts, including the execution and acknowledgement of instruments, that may be or become necessary for obtaining, sustaining or reissuing United States and foreign letters Patent or said other forms of protection covering the invention hereby assigned, and for maintaining and perfecting **ASSIGNEE'S** right to said invention, Letters Patent and other forms of protection, particularly in cases of interference and litigation.

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(1) this _____ day of _____, 2001

(1) _____

Stephen Paul Bartels

WITNESS AS TO (1):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Stephen Paul Bartels** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and
 seals;
 (2) this _____ day of _____, 2001

(2) _____
 Cara Lorraine Baustian

WITNESS AS TO (2):

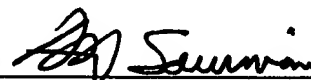
DATE: _____

STATE OF
 COUNTY OF

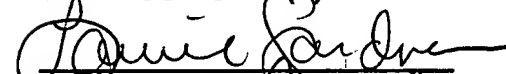

Before me, a Notary Public in and for the County and State aforesaid, appeared
Cara Lorraine Baustian to me personally known to be the same person whose name is
 subscribed to the foregoing instrument, and acknowledged that he executed said
 instrument as his free and voluntary act and for the uses and purposes therein
 expressed.

 Notary Public

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and
 seals;
 (3) this 24th day of September, 2001

(3) 
 David A. Souerwine

WITNESS AS TO (3):

DATE: 9/24/01STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **David A. Souerwine** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Kristin L. Hartman
Notary Public



IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(4) this _____ day of _____, 2001

(4) _____

Leon Ellenbogen

WITNESS AS TO (4):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Leon Ellenbogen** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

Serial No.: 09/816,284
 Filed: March 23, 2001
 Docket No.: P02930

ASSIGNMENT

WHEREAS, WE:

- (1) Stephen Paul Bartels
- (2) Cara Lorraine Baustian
- (3) David A. Souerwine

employees of Bausch & Lomb, Inc. residing at:

	16 Silco Hill <u>STREET ADDRESS:</u>	Pittsford, New York <u>CITY AND STATE:</u>
(1) Stephen Paul Bartels	383 Sunset Boulevard,	Wyckoff, New Jersey
(2) Cara Lorraine Baustian	4 Woods Road,	Palisades, New York
(3) David A. Souerwine	Ten Pointes at Stonetown 6 Mill Neck Lane	Pittsford, New York

have jointly invented with employees/consultants of the National Institute of Health:

- (4) George E. Bunce
- (5) Leon Ellenbogen
- (6) Frederick L. Ferris III
- (7) Jin Kinoshita
- (8) James Smith

certain new and useful improvements in:

NUTRITIONAL SUPPLEMENT TO TREAT MACULAR DEGENERATION

filed on March 23, 2001 and assigned serial number 09/816,284; and

WHEREAS, BAUSCH & LOMB, INC., having a place of business at One Bausch & Lomb Place, in the City of Rochester, and State of New York 14604, hereinafter referred to as "ASSIGNEE", is desirous of acquiring right, title and interest in and to said invention in the United States of America, its territories, dependencies and possessions, and in all foreign countries, and in and to any United States or foreign Letters Patent that may be granted therefor, and in and to such other forms of protection of industrial property as may be granted therefor pursuant to the laws of any country;

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) in hand paid to each of us, and other good and valuable considerations, the receipt of which is hereby acknowledged, we by these presents, have sold, assigned and transferred, and do hereby sell, assign and transfer, to ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in and to the said invention, in the United States of America, its territories, dependencies and possessions, and in all foreign countries, in and to any subsequently filed provisional or nonprovisional patent application of the United States, and in and to any Letters Patent of the United States and foreign countries (including all divisions, reissues, continuations and extension thereof) that may be granted therefor, and in and to such other forms of protection of industrial property as may be granted therefor pursuant to the laws of any country, and the right to apply for Letters Patent and such other forms of protection of industrial property as may be provided by any country, with full benefit of such priorities as may now or hereafter be granted to us by local laws or by treaty or by international convention, together with the right to extend the protection of said United States Letters Patent to territorial possessions now owned or which may hereafter be acquired by the United States of America, for the full term of which said Letters Patent or said other forms of protection may be granted;

And we covenant and agree with ASSIGNEE that as joint inventors, we each have unencumbered title to the invention hereby assigned, which title we warrant to ASSIGNEE;

And we further agree that we will, at ASSIGNEE'S request, without demanding further consideration therefor but entirely at ASSIGNEE'S expense, do all lawful and just acts, including the execution and acknowledgement of instruments, that may be or become necessary for obtaining, sustaining or reissuing United States and foreign letters

Patent or said other forms of protection covering the invention hereby assigned, and for maintaining and perfecting ASSIGNEE'S right to said invention, Letters Patent and other forms of protection, particularly in cases of interference and litigation.

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(1) this 14 day of September, 2001

(1) Stephen Paul Bartels
Stephen Paul Bartels

WITNESS AS TO (1):

DATE: Sept. 14, 2001

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Stephen Paul Bartels** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Laurie A. Gamble (Monjanti)

Notary Public

LAURIE A. GAMBLE
Notary Public
New York State
County of Monroe
Commission Expires 12/27/2001

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(2) this _____ day of _____, 2001

(2) _____
Cara Lorraine Baustian

WITNESS AS TO (2):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **Cara Lorraine Baustian** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals;

(3) this _____ day of _____, 2001

(3) _____
David A. Souerwine

WITNESS AS TO (3):

DATE: _____

STATE OF
COUNTY OF

Before me, a Notary Public in and for the County and State aforesaid, appeared **David A. Souerwine** to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

Notary Public